

**Senate File 276 - Introduced**

SENATE FILE 276

BY MATHIS

**A BILL FOR**

1 An Act relating to specified professional benefits,  
2 accommodations, and representations, and including effective  
3 date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 216.6, subsection 2, Code 2019, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *f.* (1) An employer shall provide reasonable  
4 accommodation to an employee based on medical conditions  
5 related to the employee's pregnancy or childbirth if upon the  
6 advice of the employee's health care provider the employee  
7 makes such a request.

8 (2) For purposes of this paragraph "*f*", "*reasonable*  
9 *accommodation*" means modifications or adjustments to the  
10 work environment, or to the manner or circumstances under  
11 which an employee's position is customarily performed, that  
12 enable an employee with a medical condition related to the  
13 employee's pregnancy or the birth of the employee's child to  
14 perform the essential functions of that position. "*Reasonable*  
15 *accommodation*" does not include a change or modification that  
16 would impose an undue hardship on the employer.

17 Sec. 2. Section 216.6A, Code 2019, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 2A. It shall be an unfair or discriminatory  
20 practice for any employer or agent of any employer to do any of  
21 the following:

22 *a.* Require, as a condition of employment, that an employee  
23 refrain from disclosing, discussing, or sharing information  
24 about the employee's wages, benefits, or other compensation, or  
25 from inquiring, discussing, or sharing information about any  
26 other employee's wages, benefits, or other compensation.

27 *b.* Require, as a condition of employment, that an employee  
28 sign a waiver or other document that requires the employee  
29 to refrain from engaging in any activities the employee is  
30 permitted to engage in under paragraph "*a*".

31 *c.* Discriminate or retaliate against an employee for  
32 engaging in any activities the employee is permitted to engage  
33 in under paragraph "*a*".

34 *d.* Seek current or historical compensation information,  
35 including but not limited to information on salary and

1 benefits, from a potential employee as a condition of being  
2 granted a job interview or extended an offer of employment.  
3 This paragraph shall not be construed to prohibit an employer  
4 from making inquiries of a prospective employee regarding the  
5 prospective employee's desired compensation level to accept a  
6 position with the employer.

7 e. Release compensation history, including but not limited  
8 to information on salary and benefits, of any current or former  
9 employee, to a prospective employer of the current or former  
10 employee, without express written authorization from the  
11 current or former employee.

12 Sec. 3. Section 237A.13, subsection 7, paragraph c, Code  
13 2019, is amended to read as follows:

14 c. Families with an income of more than one hundred percent  
15 but not more than one hundred ~~forty-five~~ eighty-five percent  
16 of the federal poverty level whose members, for at least  
17 twenty-eight hours per week in the aggregate, are employed  
18 or are participating at a satisfactory level in an approved  
19 training program or educational program.

20 Sec. 4. DIRECTIVE TO DEPARTMENT OF HUMAN SERVICES ON CHILD  
21 CARE ASSISTANCE. Effective January 1, 2020, the department of  
22 human services shall amend its administrative rules pursuant  
23 to chapter 17A to provide income eligibility for state child  
24 care assistance, according to family size for children needing  
25 basic care, to families whose nonexempt gross monthly income  
26 does not exceed one hundred eighty-five percent of the federal  
27 poverty level.

28 Sec. 5. RECOGNITION PROGRAM FOR GENDER DIVERSITY ON BOARD OF  
29 DIRECTORS OR OTHER GOVERNING BOARD.

30 1. Effective January 1, 2020, the economic development  
31 authority shall implement and administer a program that  
32 provides a certification or other recognition for companies  
33 that have at least fifty percent women on the company's board  
34 of directors or other governing board.

35 2. The authority shall establish criteria for all of the

1 following:

- 2 a. Issuance of a certification or other recognition.
- 3 b. Revocation of the certification or other recognition.
- 4 c. Renewal of the certification or other recognition.
- 5 d. Terms of use for a company that has received the
- 6 certification or other recognition.

7 3. The authority shall adopt rules pursuant to chapter 17A  
8 as necessary to implement and administer this section.

9 Sec. 6. PAID FAMILY LEAVE AND MEDICAL LEAVE INSURANCE —  
10 FEASIBILITY STUDY. The director of the department of workforce  
11 development shall conduct a study on the feasibility of  
12 establishing a state-administered paid family leave and medical  
13 leave insurance program and analyze the associated benefits  
14 and costs. The director shall determine the premium rates  
15 and benefit levels appropriate to fully fund and maintain the  
16 solvency of a family leave and medical leave insurance account.  
17 The director shall apply for any federal and nonprofit grants  
18 that may be available to conduct the study.

19 The director shall submit a report including findings and  
20 recommendations to the general assembly no later than December  
21 15, 2020.

22 Sec. 7. EFFECTIVE DATE. The following, being deemed of  
23 immediate importance, takes effect upon enactment:

24 The section of this Act requiring the department of human  
25 services to amend its rules to provide income eligibility for  
26 state child care assistance.

27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with  
29 the explanation's substance by the members of the general assembly.

30 This bill relates to specified professional benefits,  
31 accommodations, and representations.

32 UNFAIR AND DISCRIMINATORY PRACTICES. The bill makes it an  
33 unfair or discriminatory practice for any employer to require,  
34 as a condition of employment, that an employee refrain from  
35 disclosing, discussing, or sharing information about wages,

1 benefits, or other compensation with other employees, or  
2 to require an employee to sign a waiver that requires the  
3 employee to refrain from engaging in such activities. The  
4 bill prohibits an employer from discriminating or retaliating  
5 against an employee for engaging in any such activities.  
6 The bill also prohibits an employer from seeking current or  
7 historical compensation information from a potential employee  
8 as a condition of being granted a job interview or extended an  
9 offer of employment. An employer is prohibited from releasing  
10 the compensation history of any current or former employee to a  
11 prospective employer without express written authorization from  
12 the current or former employee.

13 REASONABLE ACCOMMODATION. The bill requires an employer  
14 to provide a reasonable accommodation to an employee based  
15 on medical conditions related to the employee's pregnancy or  
16 childbirth if upon the advice of the employee's health care  
17 provider the employee so requests. "Reasonable accommodation"  
18 is defined in the bill.

19 STATE CHILDCARE ASSISTANCE. Current law provides that  
20 a family with an income of more than 100 percent but not  
21 more than 145 percent of the federal poverty level, whose  
22 family members are working at least 28 hours a week or are  
23 participating in an approved training program or educational  
24 program, are eligible to be placed on the wait list for state  
25 child care assistance. The bill changes the cap on a family's  
26 income to 185 percent of the federal poverty level and directs  
27 the department of human services to amend the department's  
28 rules, effective January 1, 2020, to reflect this change. This  
29 section of the bill related to the rule changes takes effect  
30 upon enactment.

31 CERTIFICATION RECOGNIZING GENDER DIVERSITY. The bill  
32 requires the economic development authority, by January 1,  
33 2020, to implement and administer a program that provides a  
34 certification or other recognition for companies that have at  
35 least 50 percent women on the company's board of directors. As

1 part of the program, the authority is required to establish  
2 criteria for issuance of a certification, revocation and  
3 renewal of the certification, or other recognition and terms  
4 of use for a company that has received the certification. The  
5 authority shall adopt rules as necessary to implement and  
6 administer the program.

7 PAID FAMILY LEAVE AND MEDICAL LEAVE FEASIBILITY STUDY. The  
8 bill requires the director of the department of workforce  
9 development to conduct a study on the feasibility of  
10 establishing a state-administered paid family leave and medical  
11 leave insurance program. The director is also required to  
12 analyze the associated benefits and costs, and determine  
13 the premium rates and benefit levels appropriate to fully  
14 fund and maintain the solvency of a family leave and medical  
15 leave insurance account. The director shall submit a report  
16 containing the findings and recommendations to the general  
17 assembly no later than December 15, 2020.